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In re application of: Stefan Joos et al.

Art Unit: 1634

Appl. No.: 09/171,854

Examiner: Bradley L. Sisson

Filed: October 22, 1998

Attorney Docket: 03528.0038.00US00

For: **IDENTIFICATION OF
NUMERICAL CHANGES IN
CELL DNA**

**Response to Notice to Comply With Requirements for Parent Applications
Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the **Notice to Comply With Requirements for Patent Applications
Containing Nucleotide Sequence And/or Amino Acid Sequence Disclosures** dated July 31,
2002, Applicants submit the following documents for appropriate action by the U.S. Patent and
Trademark Office:

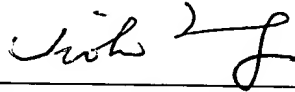
- ☒ A substitute computer readable form of sequence listing;
- ☒ A paper copy of sequence listing;
- ☒ A Statement regarding sequence listing;
- ☒ A copy of the Notice to Comply; and
- ☒ Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of
these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number

03528.0038.00US00. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 03528.0038.US00. A duplicate copy of this Response is enclosed.

Respectfully submitted,



Date: August 15, 2002

Albert P. Halluin (Reg. No. 25,227)
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Notice to Comply

| | | |
|-------------------|--------------|--|
| Application No. | Applicant(s) | |
| 09/171,854 | JOOS ET AL. | |
| Examiner | Art Unit | |
| Bradley L. Sisson | 1634 | |

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

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Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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B. L. Sisson
BRADLEY L. SISSON
PRIMARY EXAMINER
GROUP 1800